

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AUGUST IMAGE, LLC and MARK  
SELIGER,

Plaintiffs,

v.

GIRARD ENTERTAINMENT & MEDIA  
LLC and KEITH GIRARD,

Defendants.

Case No. 23-CV-1492 (VEC)(RFT)

**SUPPLEMENTAL DECLARATION OF ELEANOR M. LACKMAN**

ELEANOR M. LACKMAN declares as follows:

1. I am a partner in the law firm of Mitchell Silberberg & Knupp LLP (“MSK”), and lead counsel for defendants Girard Entertainment & Media and Keith Girard (collectively, “Girard”) in the above-captioned matter. I submit this supplemental declaration to supplement the totals reflected in Girard’s Motion for Attorney’s Fees and Costs (the “Motion”). *See* ECF No. 51, ¶ 3 (noting supplementation pertaining to briefing of the Motion).

2. Specifically, I submit this declaration to include the fees and costs incurred in preparing and responding to the Motion. As work was done through May 2024, the corresponding bills have just been finalized in the past week. Attached hereto as **Exhibit A** are true and correct copies (with redactions for irrelevant personal information) of invoices pertaining to the Motion, totaling \$21,682.80. As stated in my prior declaration in support of the Motion, the totals reflect adjustments to my own time, as well as a courtesy discount on top of discounted rates. The time incurred reflects research delegated to our firm’s librarians, as well as work done most efficiently based on my familiarity with the case and sensitivity to fee issues.

3. Further, given that the opposition papers were over-length due to single-spacing and other misplaced tactics, the work required for the reply papers was time-intensive. Nonetheless, both sets of papers, which included multiple declarations and exhibits to shed light on the particular behavior in this action, clocked in at under 30 hours' worth of my time, which on the whole reflects the most efficient outcome possible under the circumstances.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
June 18, 2024



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ELEANOR M. LACKMAN